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SUMMARY RECORD OF SECOND MEETING OF
QUADRIPARTITE WORKING GROUP ON GERMANY AND BERLIN
JANUARY 27, 1960

Participants:

France

Mr. Laloy
Mr. Winkler

United Kingdom

Viscount Hood
Mr. Logan

Germany

Mr. Krapf
Mr. Pauls
Mr. Osterheld

United States

EUR - Mr. Kohler
GER - Mr. Hillenbrand
Mr. McKiernan
L/EUR - Mr. Kearney
SOV - Mr. McSweeney
Mr. Dean

Defense - Col. Schofield

Mr. Kohler opened the meeting by asking for comments on the two German papers (Soviet intentions, II WWG/5.1, and Western positions and tactics, II WWG/5.2) and the U.S. paper on a plebiscite in Germany, all of which were submitted at the last meeting. Mr. Laloy said his Government was in agreement with the main idea of the American paper, that is to attempt to make a digression from the subject of a peace treaty with both parts of Germany rather than to counter with our own version of a peace treaty. One problem with any plebiscite proposal was, of course, the right formulation of the questions; it would be possible for the Soviets to present embarrassing formulations of their own. At the same time, even in the unlikely event that there should be agreement on the principle of a plebiscite, to attempt to define plebiscite questions is a task of such detailed nature that it should be reserved for a post-summit rather than summit negotiations. Lord Hood observed that the problem of supervision of such a plebiscite would have to be considered very carefully. Mr. Krapf stressed the necessity for a clear formulation of the plebiscite question.

Mr. Laloy said the German paper on Soviet intentions met with his general agreement, particularly as regards its assessment of the situation.

Mr. Kohler

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Mr. Kohler noted that the German paper was closely related to the Soviet intentions paper prepared prior to the Western Summit and that a sub-working group might take on the task of correlating and updating the Soviet intentions paper, meeting on a continuing basis until the summit in order to include new material. Lord Hood asked whether it was correct, as strongly implied in the German paper, that the Soviet objective on Berlin was really an international agreement. He said the paper took inadequate account of the distinction between the presumed Soviet desire to avoid war and their capacity to take actions with regard to access to Berlin which would put the onus on us for taking warlike steps in response to challenges which might not be considered serious by the world public. Mr. Laloy said that a distinction should be made between difficulties which might be imposed on German civilian access to Berlin and those which might affect Western military access. In case of interference with Western access, Soviet "pinpricks" could be countered by limited steps from the Western powers. Risks would be equally spread between East and West, and we would be in a position to demonstrate clearly to world opinion that the Soviet actions were not in accord with their stated desire to achieve relaxation of tensions between East and West. If the Soviets attempted to block German civilian access to Berlin, it would be tantamount to a blockade of the civilian population and would contradict their previous policy and insistence that they had no desire whatever to interfere with the civilian population. In his opinion, we would be able to confront Soviet steps which would not justify warlike actions on our part with corresponding limited steps which would leave us far from an outbreak of war.

Lord Hood said that if there were no permanent resolution of the Berlin problem at the summit, it was apparent that the Soviets would move fairly rapidly to conclude a separate peace treaty with the Soviet Zone regime and that this would involve certain consequences for access to the city. Mr. Laloy doubted that the Soviet move to conclude a peace treaty would be rapid; however, he agreed it would come eventually. Mr. Kohler said that Mr. Laloy was possibly correct but that Khrushchev had gone so far in his commitment to a separate peace treaty that we feel we should be prepared for Soviet action immediately after the summit since we might one day be faced by East German guards on access routes. We already have certain contingency plans for this eventuality which should be further developed and which should take into further account the possibility of Soviet interference with German civilian traffic. Mr. Hillenbrand noted that the immediate problem was with regard to Western military traffic to Berlin. Mr. Krapf stated that the Soviets always have within their power to conclude a peace treaty, but the main question was how far the West should go to prevent this step through concessions to the Soviets. Mr. Laloy pointed out that Western concessions might postpone conclusion of the peace treaty with the Soviet Zone, but that it was impossible to prevent this development in any permanent sense. He said that although the military balance in Berlin was unfavorable to the West, we should also consider the balance of political strength between East and West, which provided a more variegated picture.

Mr. Krapf

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Mr. Krapf said that the point of his observation was that the Federal Government attached great importance to the idea that the West should not state their ultimate negotiating position at once at the outset of the summit, but rather that it should be made difficult for the Soviets to reach this point until the Western participants had had an opportunity first to show them how dangerous failure to resolve the Berlin question could be for their own interests. Mr. Kohler noted that the point would come sooner or later when we would have to demonstrate our firmness to the Soviets with firm steps. In order that these steps be taken, related arrangements must first be made in Germany. This again emphasized the necessity for review of contingency planning. Mr. Laloy said that some of the wording in the German paper might conceivably give rise to a situation where the Western powers had again proposed establishment of a Four-Power group with German advisors to continue discussion of the Berlin problem and where the Soviets had refused to participate, creating a risk that in the long-run the group would degenerate into some form of the all-German committee proposed by the Soviets. Alternatively, there was a risk that the Soviets would accept the Western proposal and participate in such Four-Power discussion, but that they would then refuse to discuss either Berlin or Germany and confine themselves to making propaganda for their peace treaty proposal.

Mr. Hillenbrand said the German paper raised all the basic issues with regard to negotiations on Berlin. The question was whether the discussion was full enough to provide a basis for a Western position on Berlin which would be maintainable in the future. Lord Hood asked whether the German Government considered the proposals advanced by the Western powers on July 28, 1959 to be inadequate. Mr. Krapf replied that this was not so much the point as that the Germans were reluctant to take the last line of retreat to the July 28 proposals too early in the forthcoming negotiations. Mr. Kohler noted that conclusion of international agreement on Berlin would not stop the Russians from proceeding with the peace treaty. Mr. Laloy said this emphasized the importance of maintaining the Western legal position in Berlin. Lord Hood said that the apparent conclusion to be drawn from this discussion therefore was that it was not feasible for the West to pay with any concessions to the Soviets so that the latter would suspend their intention of concluding a separate peace treaty with the Soviet Zone.

Mr. Laloy said that he thought the proposal made in point three of paragraph 8 of the German position on tactics paper (II WK/5.2) for a clause safeguarding against conclusion of treaties with third parties was a good approach and should be followed up. He noted that the proposals contained in paragraph 8 would fill the purpose of accumulating a certain amount of space for maneuver or of talking material at the summit. However, the summit would not be the proper place for defining such matters as the specific forms which should be taken by improved communications between Berlin and Western Germany. A shorter way to the same goal might be to

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attempt to define a certain number of basic principles on Berlin and if desirable to pose them for Soviet agreement. Lord Hood said that he agreed with this approach but that he would like to request the German participants to prepare a paper explaining in detail their point on maintenance of political and economic links between the Berlin and Federal Republic; a description and listing of such links would be valuable. Mr. Laloy agreed and stated that he would like to request the German side to work on a paper containing a description of the exact nature of the existing political and economic links between Berlin and the Federal Republic. He also wished to propose the drafting of a paper on the specific possibilities of further Soviet interference with access to Berlin and a second paper showing what necessary level of Western forces should be maintained in Berlin, i.e. whether a continuation of the present level was considered a military necessity.

Lord Hood noted that his criticisms of the German paper was that it seemed to imply that no solution of the Berlin problem was conceivable which was not within the framework of German reunification. Any agreement which improved our position, whether within the reunification framework or not, ought by definition to be acceptable. Mr. Hillenbrand asked if the German side would prepare a paper which developed more explicitly the assumptions underlying the German position; for example, was it the German assumption that no negotiated agreement with the Soviets is possible at this time. Second, what would the Germans conceive to be the situation following a breakdown of summit negotiations on Berlin? Would the Soviets turn over their inspection rights to the East Germans or does the Federal Republic believe that the situation can be frozen indefinitely? He requested German views concerning newspaper stories in the Western German press on the development of a legal position by the Federal Government contending that the Federal Republic had a legal right to oppose Western proposals for changes in the status of Berlin with which it did not agree.

Mr. Laloy said that the situation confronting us in Berlin could not be defined in terms of efforts toward a lasting solution on the one hand and a continuing crisis on the other. Even with a settlement there would be continuing crises and even a crisis would offer moments for its resolution or suggest ways for dealing with it. Mr. Krapf said that one way of putting the problem faced by the Working Group was to find a face-saving formula which would really relieve Khrushchev of the necessity of carrying out his threat on Berlin. Mr. Laloy said he thought the aim of the Working Group given the nature of the summit meeting itself should be to work out a short set of principles backed up by the necessary background documents. With this in mind, he submitted a French paper entitled "Discussion Themes for the Working Group" (II WWG/5.3) and a second short paper entitled "Hypothetical New Statute (for Berlin)" (II WWG/1.2). Mr. Kohler said that the U.S. would prepare a similar paper on minimum Western requirements for a Berlin settlement for distribution at a forthcoming meeting of the Group.

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